



## UNITED STATES DEPARTMENT OF COMMERCE

## Patent and Trademark Office

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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
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08/821,760 03/20/97 MEYER

A 006523-150

EXAMINER

E1M1/0319

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ART UNIT

PAPER NUMBER

2109

DATE MAILED: 03/19/98

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

## OFFICE ACTION SUMMARY

☒ Responsive to communication(s) filed on 1/8/98☒ This action is FINAL.☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

- ☒ Claim(s) 13, 19 and 20 is/are pending in the application.  
Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 13, 19 and 20 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☒ The proposed drawing correction, filed on 1/8/98 is ☒ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- ☐ Notice of Reference Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☒ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

--SEE OFFICE ACTION ON THE FOLLOWING PAGES--

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***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 13, 19 and 20 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Eley (US PAT. 4,113,339) in view of Laipply et al. (Laipply hereinafter: US PAT. 4,793,637).

Eley discloses a load break bushing having an electrical terminator 12 and an electrical bushing component 30 having all of the features claimed except for a color band formed on one of the terminator and bushing component for visual indication of positive latching. However, Laipply teaches the use of color groove 46 which would be covered by a ring 48 for visual indication of positive connection between male and female parts. Thus, it would have been obvious to one of ordinary skill in the art to modify the Eley's bushing by adopting the teaching of Laipply to enhance the detection of the incomplete engagement of the connector terminals.

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Regarding the claimed sizes and dimensions: It would have been an obvious matter of design choice to employ any desirable sizes and dimensions including the claimed sizes and dimensions as desired, since such a modification would have involved a mere change in the size of a component. A change in size is generally recognized as being within the level of ordinary skill in the art. *In re Rose*, 105 USPQ 237 (CCPA 1955).

### ***Response to Arguments***

3. Applicant's arguments filed January 8, 1998 have been fully considered but they are not persuasive for the following reasons:

Applicants argue that the color band of Laipply et al. is positioned at the bottom of an annular groove and the color band will not be flush with the surface in which the groove is formed and a view thereof will be obstructed. However, it is of no moment that the color band of Laipply et al. is positioned at the bottom of an annular groove and the color band will not be flush with the surface in which the groove is formed and a view thereof will be obstructed, as applicants mention, for Laipply et al. are being relied upon **solely for their teaching of a common manner of using a color band to male and female connectors to provide a visual indication of the degree of interconnection.** Further,

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Laipply et al. disclose the color band applied to the male connector and, once full connection is achieved, an operator cannot observe the color (i.e. the color band becomes completely covered, see col. 4, lines 35-39). Of course, in view of the teaching of Laipply et al., it would have been within the level of ordinary skill in the art to apply color band to a male connector (i.e., a tongue). Further, it would have within the level of ordinary skill in the art to apply any desirable shape of the color band at any desirable location including the claimed shape (i.e., flush with the surface in which the color band is applied) and the location.

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CAR 1.136(a).

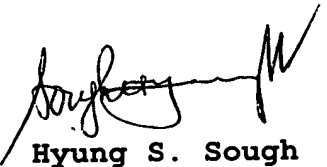
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CAR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the

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statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hyung S. Sough whose telephone number is (703) 308-0505. The Examiner can normally be reached Monday-Friday from 8:30 AM - 4:00 PM EST.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1782. The Group Fax number is (703) 305-3431 or (703) 305-3432.



Hyung S. Sough  
Primary Examiner  
Art Unit 2109

shs  
March 18, 1998